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SUMMARY RECORD OF THE 409th MEETING*

Held at the Palais des Nations, Geneva,
on Monday, 29 September 1997, at 3 p.m.

Chairperson: Miss MASON

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* No summary records were issued for the 407th and 408th meetings.

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The meeting was called to order at 3.10 p.m.

CONSIDERATION OF REPORTS OF STATES PARTIES (agenda item 4) (continued)

Initial report of Uganda (CRC/C/3/Add.40; CRC/C/Q/UGA/1; HRI/CORE/1/Add.69)

1. At the invitation of the Chairperson, Ms. Mukwaya, Mr. Irumba, Mr. Sempangi, Mr. Onek, Mr. Kakama, Ms. Mutebi, Ms. Ocago, Mr. Ndoleriire and Ms. Banya (Uganda) took places at the Committee table.

2. The CHAIRPERSON welcomed the delegation of Uganda and invited it to introduce the initial report of the Ugandan Government (CRC/C/3/Add.40).

3. Ms. MUKWAYA (Uganda) said that the large child population in Uganda, at current estimates 10.6 million out of a total population of 19.8 million, implied a high dependency rate and inadequacy in meeting the needs of children. The implementation of the Convention, which Uganda had ratified in 1990 - one of only seven countries in Africa to do so - had to be understood against the background of the political and economic upheavals that had racked the country since the 1970s and had had their greatest impact on children, as a result of the breakdown in the delivery of social services, rampant poverty, high mortality in the under-five age group, low enrolment in schools, high school drop-out rates and inadequate laws and systems for the protection of children, increased numbers of children in need of care and protection, orphans in particular, and the displacement of children.

4. The country had made much progress since embarking on the road to political and economic recovery in 1986. Because children made up over half the population, their future well-being was of prime importance; the Convention and issues relating to the rights of the child were central to that effort. A number of legal and policy measures had been introduced, including the Children's Statute, which had entered into force on 1 August 1996 and gave effect to most of the provisions of the Convention and the African Charter on the Rights and Welfare of the Child. The Statute had made fundamental changes in the operation of the juvenile justice system, introducing special courts for children and taking account of the welfare and best interests of the child. It covered most special protection measures.

5. Other measures had been the promulgation of the Constitution and its embodiment of the rights of the child, the institutionalization within local government structures of community responsibility for child welfare and protection, with a secretary for children's affairs at every level, the establishment of the National Council for Children to coordinate the implementation of the National Programme of Action for Children and the ratification of the African Charter on the Rights and Welfare of the Child. Support policies now in place relating to decentralization, health development, education, gender in development and social welfare also provided a framework for ensuring the survival, protection and development of children.

6. The definition of the child as a person below the age of 18 years in both the Constitution and the Children's Statute had brought Ugandan practice into line with the Convention. Significant progress had, moreover, been made in the observance of civil rights and freedoms and in the democratization of

the State. The 1995 Constitution provided the principal framework for the drafting of programmes and activities by ministries and departments. In its action on family environment and alternative care, the Government was pursuing policies aimed at preserving the family and ensuring that children were, as far as possible, brought up in a family environment. The Children's Statute made provision for alternative family care, including fostering and adoption.

7. The strategy being pursued with regard to health and health services was to strengthen child survival through increased funding and facilitation, immunization campaigns, which were given greater emphasis by national immunization days, the control of diarrhoeal diseases and respiratory infections, improved nutrition and food security, encouraging breastfeeding, making malaria control a priority and improving water supply and environmental sanitation. As a result, infant mortality had fallen from 122 to 97 per thousand and mortality among children under five years of age from 203 to 147 per thousand. A multisectoral approach to prevention had led to a declining incidence of HIV/AIDS.

8. Difficulties were still being experienced in obtaining comprehensive information on the number of children with disabilities. However, efforts were being made to provide integrated rehabilitation services through community-based rehabilitation programmes. Under the Children's Statute, the State was obliged to provide appropriate services for children with disabilities of which parents were expected to make use. Other action included improving prevention through immunization, strengthening the assessment of disability through the Educational Assessment and Resource Services (EARS) Programme and training, research and capacity-building through the Uganda National Institute for Special Education (UNISE).

9. In the education sector, the policy had been to increase equitable access to good quality education across the gender boundary and socio-economic categories. From 1997, the Government had been providing free education for four children per family, and that had increased primary school enrolment from 2.6 million to 5.7 million. Alternative options to basic education had also been developed, the budget allocation to education had been increased and regulations had been introduced to protect the rights of the child in educational institutions.

10. Despite all that had been achieved, some constraints remained to be overcome, including the shortage of manpower in all sectors - exacerbated by the implementation of the structural adjustment programme, attitudes towards child rights stemming from cultural factors and prejudices, inadequate awareness of the rights of the child, including the concept of rights themselves, inadequate data on various aspects of child rights and weak coordinating and monitoring mechanisms. Another obstacle was that insecurity still prevailed in some parts of the country and had affected the delivery of services and led to the abduction of children. Action was needed to address the needs of abducted children and their families, many of which had been displaced both within and outside the affected districts.

11. Future action by the Government would focus on the implementation of the Children's Statute and include a review of labour law. Attention would also be paid to relations in the home and the law on rape and defilement. A drug

dependency bill was in preparation. The National Plan was under review to include a focus on poverty eradication. She appealed to the international community for support in implementing the Children's Statute and for assistance in recovering Ugandan children who had been abducted and taken outside the country. Uganda remained committed to the implementation of the Convention.

12. Mrs. PALME said that she had been impressed by Uganda's declared political will to deal with child survival, protection and development in the context of the Convention and applauded the progress already made in that direction. The Children's Statute, which had been in force only since August 1997, had consolidated the legislation relating to children and provided for the establishment of a family and children's court. Matters such as child care and protection, adoption and juvenile justice were decentralized to local authorities under the overall coordination of the Ministry of Local Government. It was essential for that Ministry, as well as for the secretaries for children's welfare at the district level, to monitor that process, ensure that the community was educated on the rights of the child and mediate where those rights had been infringed in order to guarantee that children's needs were met. She agreed with the need for accurate disaggregated data to serve as a basis for action.

13. The drive to decentralize would be conditioned by available local resources, which at present appeared insufficient. The apparent decline in resources for social services between 1992-1993 and 1993-1994 was disquieting in the context of article 4 of the Convention.

14. Uganda's efforts to comply with article 42 of the Convention were to be commended, including the plans to make the periodic report widely available to the general public and to make use of the media for public debate on the subject. Had the Convention been incorporated as such into Ugandan law; was it enforceable in the courts?

15. With regard to the unrest in the north of the country and reports that children there were continuing to be abducted, killed, tortured, physically abused and used as child soldiers by the Lord's Resistance Army in what was an outrageous violation of the fundamental rights of the child she asked what the Uganda Government could do to secure the lives of such children and what action to that end should be expected from the Organization for African Unity, the international community in general and the newly appointed special rapporteur on children in armed conflict?

16. Mrs. OUEDRAOGO, commending the Ugandan delegation on the initial report, which was frank, complete and in conformity with the Committee's guidelines, welcomed the action taken by the Ugandan Government to ensure the survival, development and protection of children in Uganda. However, that political will was being hindered by the scarcity of resources as a result of structural adjustment, increasing poverty, the ravages of the AIDS pandemic and political instability in the north of the country.

17. On the subject of training, she asked what was being done to educate children about their rights. Noting that judges were receiving training on those rights, she asked what training was received by other persons working

with children, such as public servants, teachers, medical workers and social workers, as well as the public in general in both rural and urban areas. Although the provisions of the Convention were being made available to the public, no mass information campaign had yet been launched. What were the problems in providing such information to the public and how did the public in general and children in particular view the Convention and the rights of the child?

18. Mrs. KARP said that she shared in the general approval of Uganda's efforts in introducing legislation and policies to promote the principles embodied in the Convention. She asked how decentralization was being achieved without support from the national budget? Did local authorities have to provide their own budgets or was the national Government allocating money in the form of funding for specific programmes? Decentralization - bringing decision-making down to the level where action was taken - was commendable, but proper funding was essential.

19. With regard to the acknowledged lack of statistical data, she asked what indicators were being developed as basis for the collection of such data. How was the coordination of the various sectors and ministries working on children's issues ensured so as to achieve maximum effect, avoid duplication and make the best use of available resources? Although in theory the provisions of the Convention should prevail in any conflict with customary rights, was that fully understood in practice by the population and what was the population's attitude in general towards the rights of the child?

20. Mrs. SARDENBERG said that she too found much to praise in the report. However, the Convention itself had received almost no mention there, despite the Government's obvious commitment to its principles. Noting that the drafting of the report had been the responsibility of the Ministry of Labour and Social Affairs (para. 37), she asked what such work had entailed and which other bodies or members of the public had been involved.

21. Uganda now had a considerable body of law for the protection of children, in particular the Children's Statute. What strategies were in view for its implementation and what part would local authorities and the national parliament play in that process? What had been the history of its adoption and what had public reaction to it been?

22. She inquired how the current process of implementation for the Uganda National Programme of Action for Children related to the Convention and the Children's Statute. Noting that many members of the delegation came from the Ministry of Gender and Community Development, she asked how children's issues came under the competence of that Ministry.

23. Mr. RABAH said it was likely that Uganda would encounter problems in the implementation of the Children's Statute and asked whether there was anyone to coordinate the efforts of the various ministries involved. Had the Statute been translated into languages used by minority groups in Uganda? Furthermore, to what extent were NGOs and international organizations allowed to cooperate and kept informed of government and ministerial initiatives on matters of interest to them?

24. There were no provisions in the Children's Statute governing child labour. Also, the definition of the child was not in line with that given in the Convention; it varied according to circumstances and also drew a distinction between the sexes, for example, in legislation relating to divorce. What was the reason for that? Moreover, there seemed to be no legal age for marriage. In that connection, to what extent was the Marriage and Divorce of Mohammedans Act applied, whereby a judge could decide the minimum age for marriage for boys and girls? More information on the minimum legal age for medical counselling and giving testimony would also be welcome.

25. Between 1991 and 1994, there seemed to have been a reduction in spending on health, on education and, in particular, on social services. How did that reflect on the best interests of children in Uganda?

26. The CHAIRPERSON, speaking as a member of the Committee, said the delegation had acknowledged that, despite the Government's commitment and legislative reform, the lack of financial and other resources would make it difficult to achieve the objectives set in relation to children. It would therefore be interesting to know exactly what proportion of the budget was allocated to areas affecting children, such as health, education and children's programme, as opposed to defence. The consistent underfunding of organs responsible for children clearly had an effect on their ability to sustain any projects to assist children, especially at the local level. She asked for further details on the establishment and mandate of the body set up to oversee the implementation of the Children's Statute.

27. Ms. MUKWAYA (Uganda) welcomed the comments by the Committee aimed at improving efforts to implement the Children's Statute. Since Uganda had been one of the first countries to adopt such a statute, its experience in that connection would no doubt be found useful by other States parties. It was reckoned that the process of implementation in the next three years alone would cost the Ugandan Government around 10 billion Ugandan shillings, which would be needed to retain police and magistrates, to set up new structures, including juvenile courts, and to upgrade existing institutions, such as remand and referral centres. Efforts must also be made to change public attitudes towards children's issues, and that would be no easy task. It was worth noting that, since local government elections would be held at the end of 1997, the Government's commitment to allocating greater resources to children's needs would take effect in the next biennium, namely 1998-1999.

28. Mr. KAKAMA (Uganda), replying to a question concerning data collection, said that, although the data relating to children currently available was certainly inadequate, efforts were being made to improve the situation. For instance, in connection with the decentralization of the National Programme of Action, the National Council for Children was helping districts draw up local plans of action based on disaggregated data. At the national level, the collection of such data was encouraged and already carried out in demographic, health and household surveys. Thus, although there was no one overall mechanism, all available sources were used to collect disaggregated data on children.

29. The National Programme of Action, the Children's Statute and the Convention were all closely linked. The Convention had been one of the fundamental reference documents used when drafting the Children's Statute. Moreover, under the current decentralization of the National Programme of Action, the provisions of the Convention were being taken into account in plans being formulated at the district level in relation to children's health and education.

30. In order to bridge the gap between the principles embodied in the Convention and attitudes towards children's issues, the Government had held wide-ranging consultations at the district and local levels, thereby enabling the general public to provide input to the new legislation. At the national level, the Ministry of Gender and Community Development had launched programmes to sensitize the general public, members of the Government and civil society to the rights of children. A number of NGOs also campaigned actively on such matters. Although a change in attitudes was of course a gradual process, there were already positive signs, and a considerable amount of public interest had been aroused by the efforts made so far. Putting the new legislation into practice depended on many factors, including public awareness, the proper training of the professionals concerned, the broad participation of the necessary actors and, last but not least, an increase in resource allocation, which would hopefully take place in the next biennium.

31. Ms. MUTEBI (Uganda), replying to the legal questions raised, said that child labour had purposely not been referred to in the Children's Statute, since specific legislation on labour rights was currently under preparation. It would cover child labour extensively, since considerable research had been done by the Ministry of Labour in that area in an effort to combat problems such as the widespread exploitation of very young children as domestic servants.

32. It was true that various pieces of legislation stipulated different age limits and drew gender distinctions which conflicted with the definition of the child given in the Ugandan Constitution as any person under the age of 18. However, as a result of recent legislative reforms, the Constitution now took precedence over other laws, including the Mohammedans Act, whereby children could marry in accordance with Mohammedan traditions upon reaching the age of puberty, which, for some girls, might be as young as nine. Customary law relating to marriage had also been brought into line in that respect. The only legislation still in force in which a discrepancy remained was the Divorce Act, according to which boys of 15, but girls of only 13 and above, could not claim maintenance from their parents upon divorce. That problem would nevertheless soon be solved with the enactment of the Domestic Relations Bill. In the meantime, children claiming maintenance could invoke the relevant provisions of the Children's Statute, according to which all parents, irrespective of their marital status, were obliged to support their children until the age of 18.

33. Ms. MUKWAYA (Uganda), providing additional information on the Mohammedans Act, said that she was not only a Muslim by faith, but had also been one of the framers of the 1995 Constitution. When drafting the instrument, the framers had recognized that, since Uganda was a secular country, Shariah law could not be successfully implemented. Under the

Constitution, the Shariah courts had therefore become courts of judicature and Shariah lawyers would interact with secular lawyers under the supervision of the Chief Justice. Uganda would pursue its legislative reforms in order to ensure that the Constitution became the supreme law of the land.

34. Ms. MUTFBI (Uganda) said that the age of criminal responsibility in Uganda was 12. At present, however, there were no legal provisions stipulating a minimum age for giving evidence. The maturity of children and hence the usefulness of any evidence they might give was assessed in each case by the judge or magistrate concerned on the basis of their answers to certain questions. On the other hand, the absence of legislation on medical counselling did pose a problem, particularly on account of the many children traumatized by armed conflicts. There was, however, a support organization active in Uganda which did its best to provide such children with the necessary medical and psychiatric assistance.

35. Mr. SEMPANGI (Uganda) said that the National Council for Children had 21 members, 9 of whom were women. There were also representatives from key ministries, such as health, education, internal affairs and gender, and that ensure good communication with the Government. The Council also included representatives from the Christian and Muslim councils as well as from relevant NGOs. The task of the Council was to coordinate and monitor the implementation of the Convention. It had recently launched its activities by advertising for key specialists and secretariat staff.

36. As far as advocacy was concerned, a variety of organizations, including Rädda Barnen and the United Nations Children's Fund (UNICEF), had provided publications which were easy to understand on the Children's Statute and the Convention. The press and the media also carried information on the rights embodied in those instruments. A number of initiatives had been undertaken to encourage the advocacy of children's rights, including the organization of a mock parliament for children at the district level, school clubs under the auspices of the Ministry of Education and an open theatre project funded by Rädda Barnen. The establishment in many local councils of a secretariat for children, where children could make complaints of violations against them, had proved particularly successful. He believed that the results of such initiatives would be seen in the next generation, which, being more familiar with its rights, would no longer be bound by cultural inhibitions and traditions such as early marriage. Greater progress in the area of advocacy would be made once the specialist on advocacy had been appointed to the National Council for Children.

37. Ms. MUKWAYA (Uganda) said that the children's pages in national newspapers published open letters to ministers, NGOs, etc., in which children and young persons expressed their opinions and concerns.

38. Mr. SEMPANGI (Uganda) said that the comprehensive plan to improve education introduced five years earlier had mainly centred on the provision of basic education. The most significant move which had dramatically increased enrolment in primary schools had been the Government's introduction of free schooling for at least four children per family. The resultant challenge in

terms of maintaining quality and ensuring continued access to education had led to a substantial increase in both the recurrent and the development budgets.

39. The Government had revised the school syllabus to include more tuition on children's rights and the Ministry of Education was likewise alive to the need to contribute to a safe school environment which respected the rights of the child. Consequently, corporal punishment in schools had been abolished despite stiff opposition owing to traditional attitudes in the community; alternative methods were being tried out. Children were readier to report attempts by teachers to hit or sexually abuse them, as the young people realized not only that such behaviour was wrong, but that they could take action to halt it. In addition, community sensitization and mobilization programmes had opened parents' eyes to the issue.

40. Another priority of the five-year strategic plan was the provision of basic sanitary facilities in schools. It had, however, soon become clear that the formal sector alone would be unable to meet the strategy's chief goal of education for all, so alternative approaches had been developed. For example, two programmes offering flexible teaching in the community were being implemented to counter factors which had prevented little girls and boys from attending school and 8 to 14 year-olds who were just starting school were covered by a special programme.

41. Mr. NDOLERIIRE (Uganda) emphasized that the figures shown in paragraph 23 of his country's report related solely to the development budget and that education was only one of six sectors on which resources were being targeted. The Government had initiated a review of the Rehabilitation and Development Plan in order to identify core projects to which top priority would be given. As a result, some projects had been transferred to a different budget heading.

42. Describing the system of budget allocation, he said that the decentralization policy had meant that local authorities could retain a percentage of the revenue they had collected, but block grants from the central Government went to priority areas and the Government monitored the effectiveness of that assistance. Equalization grants were also available for some other areas.

43. The CHAIRPERSON asked how realistic the 1997/98 budget was.

44. Mr. NDOLERIIRE (Uganda) said that the situation with regard to sectors affecting children had improved somewhat because headings in the budget for that year were much more precise and realistic than they had been in previous budgets.

45. Ms. MUKWAYA (Uganda) said that pressure on national resources included the large investment needed to tackle the dual scourges of AIDS and drought and to eradicate polio. Moreover, the AIDS epidemic was threatening the security of food supplies because women, who were the main food producers, were having to devote much of their time to caring for the sick.

46. Uganda, where a new democracy was being built, was endeavouring to protect minorities by constantly setting up new districts to which the central Government allocated equalization grants to be spent on the provision of local services. Each district had its own particular needs and many areas of Uganda were remote, so that was a further drain on resources.

47. Ms. OCAGO (Uganda) said that an inter-ministerial task force set up to consider the implications of implementing the Children's Statute had found that very substantial resources would be needed for that purpose. Sub-committees on various sectors had therefore been asked to map out solutions.

48. The Department of Child Care and Protection had overall responsibility for child-care issues, but the Ministry of Education naturally played a major role as well. The Department of Child Care was in charge of looking after the interests of marginalized and vulnerable groups of children and also handled the juvenile justice system. It had therefore taken the lead in working out implementation strategies. Since many of its activities were supported by donor funds, it had set up a secretariat to coordinate fund raising. In June, the task force had submitted a final report to the Ministry of Gender and Community Development, which had identified the provisions of the Statute which required immediate implementation. The few provisions not calling for the allocation of resources had entered into force on 1 August 1997. The United Kingdom Save the Children Fund was helping Uganda put together a uniform training package for people in all the sectors concerned. In addition, an inter-ministerial coordinating committee had been set up to inform the personnel of the Ministry of Justice about their role under the Statute. It was hoped that the first training session for national instructors of local trainers would be held in October. The Statute had been translated into six local languages and a request for funds had been submitted to the Ministry of Planning and Economic Development with a view to supplementing donor funds so that all the activities envisaged by the task force could be carried out.

49. The CHAIRPERSON asked how NGO activities were coordinated with those of the local councils.

50. Ms. MUKWAYA (Uganda) said that a statute dating from 1989 made it obligatory for NGOs to register with the NGO Board which came under the responsibility of the Ministry for Internal Affairs. Before that step was taken, NGOs had to obtain the approval of the ministry dealing with their particular subject of concern. Nevertheless, the Board's scant resources made it hard to monitor the activities of NGOs effectively. At the district level, the district probation officer was supposed to supervise all NGOs operating under the auspices of a joint district council. Bi-monthly meetings were held with international NGOs. The Children's Statute had made coordination even more crucial, in order to ensure that efforts were not duplicated.

51. The CHAIRPERSON requested information about the reaction in Uganda to the Convention.

52. Ms. OCAGO (Uganda) said that a number of the Convention's provisions had been translated into six local languages and that there had been a great demand for those leaflets. Since some parents thought that the Government was encouraging children to become rebellious, however, children's rights needed to be explained to the general population in greater detail.

53. Mr. KAKAMA (Uganda) said that the African Charter on the Rights and Welfare of the Child referred both to rights and to responsibilities. For that reason, sensitization programmes and strategies urged parents to give their children rights, but, at the same time, children were informed about their obligations to their parents, the community and the nation.

54. Some schemes had been launched to train children about human rights and the subject had been incorporated in school syllabuses. As a larger percentage of children were attending school, they had more opportunity to learn about their rights. Even out of school, a tremendous effort had been devoted to making the general community understand the issues involved, although a lack of funds hampered the campaign in some areas.

55. Ms. MUKWAYA (Uganda) said that, although Ugandans were wary of new, alien ideas, a breakthrough had been achieved as far as genital mutilation and breastfeeding were concerned. The community had to be told that children's rights were consonant with children's needs.

56. Uganda had done everything humanly possible to help the children in the north of the country by appealing to its neighbours and to the rebels not to attack schools, churches or mosques where children generally took refuge. The UNICEF book entitled "Shattered innocence" had helped to heighten the international community's awareness of the heinous nature of attacks on unarmed children. Uganda therefore hoped that a continued dialogue between heads of State would solve the problem, since the country's long depopulated borders made it virtually impossible for the national defence forces to maintain security.

57. Mrs. SARDENBERG thanked the members of the delegation for the very clear picture they had given of the situation in Uganda. The task of implementing the Children's Statute would doubtless be made even more difficult by the persistence of old traditions and outdated laws at the village level. She assured them that Uganda was not the only country that had had problems in transmitting the message that children had rights as well as responsibilities: in the past, too much emphasis had perhaps been placed on their responsibilities. The adoption of the Children's Statute was a very important step. Having the necessary legislation in place meant that the process of sensitization and dissemination had already begun, but, from now on, that process would need to be pursued consistently for the sake of future generations of children.

58. Referring to paragraph 45 (e) of the report, she asked what was meant by "village resolution of problems and disputes". She would also like to know how the implementation of the National Programme of Action for Children, as well as the implementation of the Convention itself, had been affected by the process of decentralization currently under way in the country.

59. Mr. KOLOSOV said that, since both the report itself and the dialogue with the members of the delegation had been frank and open, he would venture to ask them to elaborate on the delicate issue of the current armed conflict, in view of the fact that, since 1991, Uganda had been a party to the Additional Protocols to the Geneva Conventions. Although he had no reason to believe that the Government did not respect the rules of humanitarian law, it had a responsibility to do so, despite the fact that part of Ugandan territory was not under its control. He pointed out that article 22 of the African Charter on the Rights and Welfare of the Child stated that those rules applied also to children in situations of internal armed conflict.

60. It might be desirable for the Committee to formulate a recommendation inviting the rebel army to respect the rules of humanitarian law. In that connection, he drew attention to the fact that article 3 of the Geneva Conventions stated that the application of that law would not affect the legal status of the Parties to the conflict. It might be possible, for example, to send a message to the rebels requesting that safety zones or safety corridors should be established to protect children from death or injury.

61. Mrs. KARP said she agreed that to associate children's responsibilities with children's rights was a good way of promoting the Convention, since that would help allay fears that it might be seen as a licence for rebellion. However, it was also important to stress the child's needs, in particular the need for him to be allowed to preserve his human dignity and to develop his potential as an individual. That was the innovative aspect of the Convention, which represented a departure from the conservative and often patronizing approach taken in the past.

62. On a more practical point, she asked whether any long-term plan was in place to finance the task force set up to implement the Children's Statute. How was the programme for the alleviation of poverty funded and, in particular, was there a policy whereby a certain percentage of the funding provided by international donors was allocated to the social sector?

63. It would appear that non-governmental organizations played a very large part in implementing programmes, to an extent which almost implied an abnegation of responsibility on the part of the Government. Was there any plan for a gradual takeover of those programmes so that their financing could be placed on a sounder footing and they could be applied uniformly across the country?

64. She would like to know more about how judges were appointed in Uganda and how their independence was guaranteed. Could the delegation give examples of cases where the courts had acted to safeguard human rights in general, as well as the rights of the child in particular?

65. Ms. MUKWAYA (Uganda) said that Uganda was fortunate to have a very strong and well-organized women's movement, without which it would not have been possible to have the Children's Statute approved. There were currently 52 women members of Parliament and there were likely to be more in future following the creation of new districts; their support was essential if new legislation concerning children was to be introduced.

66. In reply to questions raised, she said that her delegation would provide information the following day on the budget for implementing the Children's Statute. With regard to the role of non-governmental organizations, she pointed out that the bodies concerned were international rather than local: they included UNICEF and the Save the Children Fund, both of which had long-term programmes in place in the country. There was no way that Uganda could run such programmes on its own, but she was happy to report that it had been able to raise 80 per cent of the counter-funding needed in the case of the UNICEF programme. Funds contributed internationally were allocated directly to the Government department concerned, such as the Department of Child Care and Protection in the Ministry of Gender and Community Development and the Ministry of Education. After that, it was the role of the Government to determine policy, to provide the necessary personnel and to monitor the results achieved. Currently, a combination of NGOs was funding the operation of the task force.

67. Mr. NDOLERIIRE (Uganda) said a Government committee was currently reviewing the activities of NGOs to ensure that the funds they needed were properly catered for in the planning of the national budget.

68. Ms. MUKWAYA (Uganda) added that a new bill was currently being drafted which identified the districts in which NGOs were operating as a basis for providing the necessary counter-funding. It had been found, for instance, that, in some districts, hospitals run by NGOs were doing better on a smaller budget that those run by the Government.

69. On the question of the independence of the judiciary, she said that, under the Constitution, judges had security of tenure and could be removed only by a decision of a high-level court and on specifically defined grounds, such as inability to perform their duties for medical reasons. The Human Rights Commission was also an independent body which had powers to investigate cases involving members of the Government, to conduct inquiries and to prosecute where necessary. The tenure of members of the Commission, like that of members of the judiciary, was protected under the Constitution.

70. Ms. MUTERI (Uganda) said that Uganda's Constitution, which had been in operation for only two years, had proved to be a powerful tool for guaranteeing that human rights were respected. For instance, petitions made in constituencies at the time of elections, which had never been heeded in the past, now received a response in a matter of weeks. Uganda's democracy was still young and fragile, but at least the political will was there to improve the situation.

71. Like other developing countries, Uganda faced ever-increasing demands from the international community that it should make progress in every possible area. The task of eradicating poverty, for example, could not be completed overnight. Almost 90 per cent of the country's population were peasant farmers living in the rural areas, so the main focus of poverty eradication had to be on modernizing agriculture, building a road network and creating markets for products. It had to be part of a multisectoral effort, which would include combating illiteracy and improving standards of health.

72. Mr. KAKAMA (Uganda), replying to the question raised by Mrs. Karp, said that traditional Ugandan society was based on a system of families or clans, which could handle cases of wrongdoing without the need to resort to legal mechanisms. The Government's approach to that system had not been punitive, but rather one of harmonizing and reconciling the system with national legislation.

73. The new policy of decentralization had meant that the National Plan of Action for Children had also had to be decentralized. Representatives of the different ministries had formed a national team, which had assessed the situation of children in each particular district and then formulated a plan on the basis of the priorities and resources of that district. The same approach would be used for implementing the Children's Statute.

74. The CHAIRPERSON said that Uganda had shown itself to be very progressive in codifying the concept of the solution of problems at the village level. Other countries were seeking ways of settling disputes other than through the conventional justice system and Uganda's example might show the way forward.

The meeting rose at 6.05 p.m.